

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RAYMOND LEE MORLOCK, JR.,)	
)	NO. _____
Plaintiff,)	
v.)	JUDGE _____
)	
CEDRIC ALONZO ALEXANDER and)	MAGISTRATE JUDGE
SWIFT TRANSPORTATION SERVICES,)	_____
LLC,)	
)	JURY DEMAND
Defendants.)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1332, 1441, and 1446, defendant Swift Transportation Services, LLC (“Swift Transportation”), by counsel, files this Notice of Removal of this action from the Circuit Court in Cheatham County, Tennessee, where it is now pending, to the United States District Court for the Middle District of Tennessee based upon diversity of citizenship and an amount in controversy exceeding \$75,000. The grounds for removal are as follows.

Procedural Background

1. This action was commenced on or about March 16, 2022 by Plaintiff’s filing of the Complaint in the Cheatham County Circuit Court in Cheatham County, Tennessee, case no. 6765 (the "Complaint"). True and accurate copies of the pleadings served upon this Defendant in this action are attached as Exhibit A.

2. The Complaint was served on Swift Transportation on or about March 31, 2022. The Notice of Removal is being filed within thirty (30) days after service of the Complaint in the matter; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

3. The Complaint contains allegations of negligence and negligence *per se* against defendant Cedric Alonzo Alexander in operating the vehicle without exercising ordinary and

due care, thus leading to Plaintiff's injuries. It contains allegations of vicarious liability against Swift Transportation. It also contains allegations of direct negligence against Swift Transportation for negligent entrustment and negligent supervision. Plaintiff seeks damages in amount not to exceed \$500,000 in his Complaint. Accordingly, it is clear that the amount in controversy exceeds \$75,000, such that this Court has jurisdiction over the matter.

4. According to the Complaint, Plaintiff is a citizen and resident of Davidson County, Tennessee.

5. Defendant Swift Transportation Services, LLC is a foreign corporation organized under the laws of the State of Arizona with its principal place of business in Arizona.

6. Defendant Cedric Alonzo Alexander is a citizen and resident of the State of California. Undersigned counsel will also represent Mr. Alexander in this matter, and he consents to the removal of this matter to the United States District Court for the Middle District of Tennessee.

7. The United States District Court for the Middle District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is complete diversity of the parties, and the amount in controversy clearly exceeds \$75,000 exclusive of interest and costs.

8. A copy of this Notice of Removal is being served via email on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Davidson County Circuit Court in Davidson County, Tennessee, in accordance with 28 U.S.C. § 1446(d). (Copies of those notices are attached as Exhibit B.) The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

9. Swift Transportation demands a jury to try this case.

WHEREFORE, Swift Transportation prays this Court consider the Notice of Removal as provided by law governing removal of cases to this Court and that this Court enter the appropriate orders to effect the removal of this case from the Cheatham County Circuit Court in Ashland City, Tennessee to this Court. Swift Transportation demands a jury of the maximum number to try this cause.

Respectfully submitted,

LEWIS THOMASON, P.C.

By: /s/Mary Beth White

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*Attorneys for defendant Swift Transportation
Services, LLC*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing NOTICE OF REMOVAL has been served on the following counsel of record via email:

Rhonda R. Meyers, Esq.
150 South Main Street
Ashland City, TN 37015

This the 2nd day of May 2022.

/s/Mary Beth White